IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

Bail Appl..No. 3664 of 2007()

CC.256/2005 of J.M.F.C.-I,PALAKKAD

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PETITIONERS:

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1. PRASAD, S/O.RAMAKRISHNAN,
PACHERIKKATTIL HOUSE, KAITHACHIRA,
MANNARKKAD.

2. ABDUL AZEEZ, S/O.HAMSA CHERLAKKATTUTHODI HOUSE,
NAYADIKKUNNU, PERIMBADARI PO,
MANNARKKAD.

3. UNNIKRISHNAN, S/O.NARAYANAN, CHUNDAKUZHI HOUSE,
PERIMBIDARI PO, KANHIRAMPADAM,
MANNARKKAD.

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM REPRESENTING THE S.I. OF POLICE,
PALAKKAD.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12.6.2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3664 OF 2007

Dated this the 12th day of June, 2007

O R D E R

Petitioners, who are accused Nos.2 to 4 in C.C. No.256/2005 on the file of JFCM-I, Palakkad for an offence punishable under Sec.379 read with sec.34 I.P.C., seek anticipatory bail.

2. Consequent on the non-appearance of the petitioners in C.C. No.256/2005 on the file of the J.F.C.M.-I, Palakkad, non-bailable warrants of arrest are pending against the petitioners. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioners for their previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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